

**OFFICIAL FILE**  
**ILLINOIS COMMERCE COMMISSION**

**ORIGINAL**

**STATE OF ILLINOIS**

**ILLINOIS COMMERCE COMMISSION**

COMMONWEALTH EDISON COMPANY )

)

Petition to Adopt Proposed Decommissioning )

)

Expense Adjustment Pursuant to Rider 31, )

)

Decommissioning Expense Adjustment Clause )

)

No. 00-0191

CHIEF CLERK'S OFFICE  
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ILLINOIS COMMERCE COMMISSION

**DRAFT PROPOSED ORDER**

By the Commission:

On February 25, 2000, Commonwealth Edison Company ("ComEd") mailed for filing with the Illinois Commerce Commission ("Commission") its verified petition pursuant to § 9-201.5 of the Illinois Public Utilities Act, 220 ILCS 5/9-201.5, seeking Commission approval for a decommissioning expense adjustment and requesting permission to file a revision to its Rider 31 (the "2000 decommissioning case").

On May 18, 2000, ComEd filed its Petition for Approval of a Revised Decommissioning Expense Adjustment Rider to Take Effect on the Transfer of ComEd's Generating Stations, Docket 00-0361 (the "Decommissioning Resolution Case"). In that petition, ComEd presented a comprehensive proposal to limit ComEd's recovery of decommissioning costs from customers to a fixed amount over a six year period. At the end of the six years, and recovery of the fixed amount, ComEd customers would have no further responsibility for decommissioning costs. The revised rider was to take effect following the transfer of ComEd's nuclear generating stations to an affiliate generating company ("Genco"). The six year period tracked a power purchase agreement with the generating company under which the nuclear stations would be providing electricity to Illinois jurisdictional customers of ComEd. In its petition, ComEd also stated that it would withdraw its petition in the 2000 decommissioning case in the event its petition in Docket 00-0361 was granted.

On December 20, 2000, the Commission entered an Order in the Decommissioning Resolution Case approving a revised Rider 31 tariff under which charges would be assessed for decommissioning for the years 2001 through 2006. Subsequent to the issuance of that Order, ComEd transferred its nuclear stations to its affiliate generating company, and a revised Rider 31 which implements the terms of the Commission's Order in Docket 00-0361 became effective.

On February 22, 2001, ComEd mailed for filing with the Commission a motion to withdraw its petition in the 2000 decommissioning case consistent with its commitment in the

Decommissioning Resolution case and in compliance with the Commission's December 20, 2000 Order which directed ComEd to file a revised Rider 31. Because the Commission's Order in Docket 00-0361 directs the filing of a revised Rider 31 with decommissioning charges for the years 2001 through 2006, and this filing has been made, the 2000 decommissioning case is moot.

ComEd's motion to dismiss the 2000 decommissioning case was the subject of status hearings on February 27 and March 20, 2001. All intervening parties appeared and participated in the February 27 status hearing and were given time to consider ComEd's motion to dismiss. At the status conference on March 20, 2001 no party objected to ComEd's motion and the Hearing Examiner proceeded to close the record with respect to ComEd's motion.

The Commission, having given due consideration to the entire record herein and being fully advised in the premises, is of the opinion and finds that:

- (1) Commonwealth Edison Company is a corporation engaged in the generation and distribution of electricity to the public in Illinois, and, as such, is a public utility within the meaning of the Illinois Public Utilities Act;
- (2) the Commission has jurisdiction over ComEd and the subject matter of this proceeding;
- (3) the order issued December 20, 2000 in Docket 00-0361 and the rider approved in that case and now in effect sets Rider 31 decommissioning charges for the years 2001-2006 rendering further proceedings in this matter moot; and
- (4) the petition in this matter should be dismissed.

IT IS THEREFORE ORDERED that the motion of Commonwealth Edison Company for leave to withdraw its petition in this proceeding is granted;

IT IS FURTHER ORDERED that Commonwealth Edison Company's Petition to Adopt Proposed Decommissioning Expense Adjustment pursuant to Rider 31, Decommissioning Expense Adjustment Clause is hereby dismissed; and

IT IS FURTHER ORDERED that, subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this order is final and is not subject to the Administrative Review Law.

By Order of the Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

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(SIGNED) RICHARD L. MATHIAS  
Chairman

(S E A L)

**STATE OF ILLINOIS**  
**ILLINOIS COMMERCE COMMISSION**

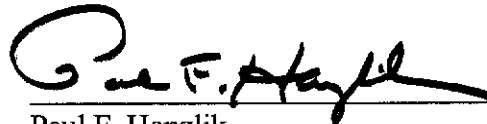
COMMONWEALTH EDISON COMPANY	:	
	:	
	:	No. 00-0191
Petition to Approve Charges Pursuant to	:	
Commonwealth Edison Company's Rider 31	:	
Decommissioning Expense Adjustment Clause	:	

**NOTICE OF FILING**

TO: Attached Service List

PLEASE TAKE NOTICE that on this date we have mailed for filing with the Chief Clerk of the Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, Illinois 62701, Commonwealth Edison Company's Draft Proposed Order.

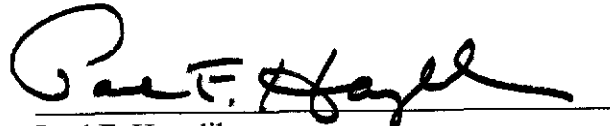
DATED: April 10, 2001

  
\_\_\_\_\_  
Paul F. Hanzlik

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**CERTIFICATE OF SERVICE**

I, Paul F. Hanzlik, do hereby certify that a copy of Commonwealth Edison Company's Draft Proposed Order was served upon all parties on the attached list by United States Mail on April 10, 2001.

  
Paul F. Hanzlik

**SERVICE LIST**  
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